

### REMARKS

The Applicants respectfully request reconsideration of this application in view of the above amendments and the following remarks.

#### 35 U.S.C. § 112 Rejection

The Examiner has rejected claims 106-121 under 35 U.S.C. 112, second paragraph.

Applicants respectfully submit that the rejection has been overcome by the amendments above.

#### 35 U.S.C. §103(a) Rejection – Sehr and Sezan

The Examiner has rejected claims 106-121 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,386,451 issued to Sehr et al. (hereinafter "Sehr") in view of U.S. Patent No. 6,236,395 issued to Sezan et al. (hereinafter "Sezan"). The Applicants respectfully submit that the present claims are allowable over Sehr and Sezan.

Claim 106 recites an apparatus comprising:

*"a smart card having an embedded microprocessor and a storage medium;*

*user preference information for media consumption stored in the storage medium, the user preference information including at least a television preference and a web browsing preference; and*

*a template database stored in the storage medium, the template database including a plurality of user preference templates that each have a different format recognized by a different type of electronic entertainment device, the plurality of user preference templates including a first user preference template that corresponds to a television, a second user preference template that corresponds to a computer having a web browser".*

Sehr and Sezan do not teach or suggest these limitations. In particular, as understood by Applicants, neither Sehr nor Sezan teach or suggest a template database including a plurality of user preference templates that each have a different format recognized by a different type of electronic entertainment device.

Sehr discusses templates. However, Sehr does not teach or suggest user preference templates that each have a different format recognized by a different type of electronic entertainment device. Sehr also does not teach or suggest including a first user preference template that corresponds to a television, a second user preference template that corresponds to a computer having a web browser.

Sezan does not remedy what is missing from Sehr. In fact, Applicant has carefully reviewed and searched Sezan, and has found absolutely no mention whatsoever of a template, or a template database, let alone a template database including a plurality of user preference templates that each have a different format recognized by a different type of electronic entertainment device. Rather, Sezan discusses the use of a single standardized user description scheme to provide information regarding a user's preferences and portability from one appliance to another. Using a single standardized user description scheme to provide portability from one appliance to another is different than using different templates having different formats for different devices.

For at least these reasons, claim 106 and its dependent claims are believed to be allowable over Sehr and Sezan.

Claim 111 and its dependent claims are believed to be allowable for similar reasons.

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### Conclusion

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record and are in condition for allowance. Applicants respectfully request that the rejections be withdrawn and the claims be allowed at the earliest possible date.

### Request For Telephone Interview

The Examiner is invited to call Brent E. Vecchia at (303) 740-1980 if there remains any issue with allowance of the case.

### Request For An Extension Of Time

The Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17 for such an extension.

### Charge Our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: 10-19-06

Brent E. Vecchia

Brent E. Vecchia  
Reg. No. 48,011

12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, California 90025-1030

Atty Docket No. 42P11146  
Application No. 09/895,431